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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,243

12/06/2001

Scott C. Sanner

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5792

27572

7590

07/02/2004

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 828

BLOOMFIELD HILLS, MI 48303

EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/010,243	Applicant(s) SANNER, SCOTT C.	
	Examiner Neil Abrams	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

In fig. 2, opening 44 should be shown. Fig. 5, "49" is not seen in the spec. In fig. 5, just what is shown is unclear, where is the faceplate 40, where is the fastening hardware such as screws used with faceplates 40. Basic aspects of the invention are confusingly shown. A cover 28 is mentioned in spec but has been deleted in new figs.

Spec. see pages 3, 4 seems to call for replacement cover of same dimensions as the one replaced but note that figs. 2, 4, show different size covers. Is spec correct in this regard?

A new set of drawings should be submitted since with many partial replacements it is unclear as to just which ones are intended to form the final set.

A new copy of the spec. should ~~be~~ be supplied for same reasons. It should include all changes but underlining is not necessary.

Claims 22-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. These claims appear to be directed to new matter since original disclosure provide no basis for claim 22, lines 7, 9, 12 routing, first connecting ^{and} second connecting steps recited or for the spring loaded limitation or for data cable enclosed in the power box or for an order of ^{steps} ~~step~~ as now recited with coupling the cover to the box at the end of the earlier recited steps. Nor is there original basis for the claim 23 steps performed in the order recited.

The original disclosure shows wiring only in fig. 5 at 49 and numeral 49 is not found in the spec. No clear discussion of routing and connecting as recited in claims 22, 23, is found in the spec. As to the spring loaded "limitation, the terms are used in the original spec. but without any specific disclosure that would provide basis for the limitation when added to claims.

How the spring would be used is uncertain.

Claims 22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Just what steps claims 22, 23 are intended to refer to is unclear.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claims 22, 23 features which while to method steps are based on structural subject matter cables connection spring loaded coupling that is not clearly illustrated must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

If these features are shown at all, it is in a confusing manner such that they cannot be clearly correlated with claim limitations.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Thompson and Luu.

The prior art and patents are applied as discussed in last office action.

Basically, obvious to replace the prior at faceplate 32 with one that includes the opening for post 26 and also includes openings for added connectors (RJ and coaxial, etc) and to be attached to the same box by same hardware as suggested by Thompson and Luu. If used for dwellings, the same concept would be usable for vehicles. The recited wiring changes only relate to the normal changes that would occur if one were to change faceplate 32 for one with a RJ or other data connector. Nothing in the spec. indicates that this would not be the case. The spring-loaded feature considered obvious variation of use of screws.

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive. See above discussion. The references listed on PTO-1449 have been reviewed and do not seem more pertinent than those applied above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number (571)272-2089.

Abrams/ds

06/28/04

A handwritten signature in black ink, appearing to read 'N. Abrams'.

NEIL ABRAMS
EXAMINER
ART UNIT 322